

State of Kansas
Office of the Attorney General
Notice of Public Hearing on Proposed Administrative Regulations

August 13, 2015

A public hearing will be conducted on Thursday, October 22, 2015, at 10:00 a.m. in the 4th Floor Conference Room of the Memorial Hall State Office Building, 120 S.W. Tenth Ave., Topeka, Kansas, to consider the adoption of proposed rules and regulations of the Office of the Attorney General, Consumer Protection Division, on a permanent basis.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rules and regulations. All interested parties may submit written comments prior to the hearing to the Consumer Protection Division, 120 SW Tenth Ave., 2nd Fl., Topeka, KS, 66612 or by email to cprotect@ag.ks.gov. All interested parties will be given a reasonable opportunity to present their views orally regarding the adoption of the proposed regulations during the public hearing. In order to provide all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five minutes.

Any individual with a disability may request an accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statements in an accessible format. Requests for accommodation to participate in the hearing should be made at least one week in advance of the hearing by contacting Crystal Moe at (785) 296-2215. The south public entrance to Memorial Hall Office Building is handicap accessible. Handicapped parking is located in front of Memorial Hall and on Jackson Ave., between 9th and 10th streets. A summary of the proposed regulation and its economic impact follow. (Note: Statements indicating that a regulation is “not anticipated to have any economic impact” are intended to indicate that no economic impact on the Office of the Attorney General, other state agencies, state employees, or the general public has been identified.)

Copies of the proposed regulations and the Economic Impact Statement for the proposed regulations can be viewed at the following website:

<http://ag.ks.gov/licensing/scrap-metal-dealers>

The following regulations are all new regulations, and all listed regulations relate to the Scrap metal theft reduction act (“Act”).

K.A.R. 16-14-1: Fees. This regulation establishes the fee for initial and renewal applications for a scrap metal dealer’s registration certificate. The initial and renewal fee is set at \$1,000. The attorney general believes that the costs are set at the minimum amount necessary to implement and administer the Act while upholding the requirements of the Act.

K.A.R. 16-14-2: Initial application. This regulation establishes the process and requirements for filing an initial application for a certificate of registration pursuant to the Act. Since this

regulation simply clarifies current policy, this regulation is not anticipated to have any economic impact.

K.A.R. 16-14-3: Computation of time. This regulation establishes the process for computing any time period prescribed by the Act. Since this regulation simply clarifies current policy, this regulation is not anticipated to have any economic impact.

K.A.R. 16-14-4: Hearings. This regulation establishes the procedure for requesting a hearing on an order denying, suspending, or revoking an scrap metal dealer application or registration. Since this regulation simply clarifies current policy, this regulation is not anticipated to have any economic impact.

K.A.R. 16-14-5: Notice of hearings. This regulation establishes the notice of hearing requirement for denial, suspension, or revocation hearings. Since this regulation simply clarifies current policy, this regulation is not anticipated to have any economic impact.

K.A.R. 16-14-6: Service of order or notice. This regulation establishes the procedure for serving an order or notice, as required under the Act. Since this regulation simply clarifies current policy, this regulation is not anticipated to have any economic impact.

K.A.R. 16-14-7: Hearing procedure. This regulation establishes the procedure to be followed at a hearing regarding the denial, suspension, or revocation or a scrap metal dealer's application or registration. Since this regulation simply clarifies current policy, this regulation is not anticipated to have any economic impact.

K.A.R. 16-14-8: Evidence. This regulation establishes the requirements relating to evidence considered at a hearing for the denial, suspension, or revocation or a scrap metal dealer's application or registration. Since this regulation simply clarifies current policy, this regulation is not anticipated to have any economic impact.

K.A.R. 16-14-9: Default. This regulation establishes the default procedure to be followed during the hearing process for the denial, suspension, or revocation of a scrap metal dealer's application or registration. Since this regulation simply clarifies current policy, this regulation is not anticipated to have any economic impact.